

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:05MJ218**

**IN THE MATTER OF THE SEARCH  
OF SWANNANOVA VALLEY FAMILY  
MEDICINE, DR. JOHN KELLY, 2296  
U.S. HIGHWAY70, SWANNANOVA,  
NORTH CAROLINA.**

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**ORDER**

**THIS MATTER** is before the court upon petitioner John Jay Kelly, M.D.'s Motion to Strike/Cancel Order and Lis Pendens and the government's February 7, 2007, Answer. Having considered petitioner John Jay Kelly, M.D.'s Motion to Strike/Cancel Order and Lis Pendens and reviewed the pleadings, including the Answer, the court enters the following Order.

**ORDER**

**IT IS, THEREFORE, ORDERED** that the petitioner file his reply to the government's "Answer" to petitioner John Jay Kelly, M.D.'s Motion to Strike/Cancel Order and Lis Pendens not later than February 16, 2007.

Signed: February 12, 2007

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

